

## Network News / 2023

### Summer Newsletter 2023

*Welcome to the summer edition of the Justice and Environment News!*

This newsletter is dedicated to bringing you the latest news, updates, and stories from the world of justice and environmental protection. Our goal is to keep you informed and inspired to take action in the pursuit of justice and sustainability.

#### J&E TOPICS

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#### AARHUS CONVENTION

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#### Environmental Information Transparency

The 27th meeting of the Working Group of the Parties to the Aarhus Convention was held in Geneva. Despite the challenges posed by the ongoing war in Ukraine, significant efforts are made to implement the Convention.



The Special Rapporteur on environmental defenders under the Aarhus Convention highlighted the importance of protecting environmental defenders, who also spoke of the need to promote transparency and public participation in international forums. Summer Kern, the J&E lawyer, delivered a statement on Ukraine, with Csaba Kiss, coordinator and Aarhus

Convention topic leader at J&E, standing by her side. Find out more [HERE](#).

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## Bankwatch Romania Examine Long Term Strategy on Climate Neutrality

Romania has published its Long Term Strategy, setting its green house gas emissions' reduction pathway in order to reach climate neutrality by 2050. It is a strategy required by the European Commission, and all Member States should have developed one by 2020. Romania is three years behind, and has an opened infringement process because of it.



Bankwatch, together with other environmental organisations in Romania - 2Celsius, Greenpeace and WWF - have analysed the main changes the Long Term Strategy brings to the economic sectors. The strategy proposes three scenarios from which was chosen the most ambitious one, RO Neutral. With this scenario Romania will have left 3 million tonnes of CO<sub>2</sub> in 2050. Despite this being the most advanced scenario, NGOs have criticised that it

is still not equivalent to climate neutrality. The strategy presents pathways for all economic sectors which emit greenhouse gases. Find out more [HERE](#).

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## CLIMATE

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### Knowledge Sharing: Experts in climate litigation presented recent cases of climate litigation



Experts in climate law discussed climate litigation in an online event. Thomas Alge and Veronika Marhold from ÖKOBÜRO shared their knowledge and experiences to 140 participants from four countries. Thomas looked back on his time in the environmental movement and Veronika presented the results of a survey conducted by ÖKOBÜRO and the concept of climate rights. Find out more [HERE](#).

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## ENVIRONMENTAL ASSESSMENT

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## Czech NGO issues stark warning over Poland's Turów coal mine

A Czech NGO has raised serious concerns about the Turów coal mine in Poland, citing data that shows decreasing water levels in a nearby Czech town. Greenpeace Czech Republic, the Uhelná Neighborhood Association, and the Together for Water platform held a press conference on June 27th to discuss the annual monitoring of the mine's underground wall. This wall was a key part of a Czech-Polish agreement.

Czech experts argue that the data from the Polish wells is not enough to accurately evaluate the wall's effectiveness and that the Czech Environment Ministry should release the relevant data from annual measurements by July 15th. Read more [HERE](#).



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## EU Pollution Victims: Time for Justice!

European organisations protecting consumers, health and the environment have urged MEPs to introduce vital protection for pollution victims in the Industrial Emissions Directive (IED). The IED governs over 50,000 installations like steelworks, chemicals and plastics factories, industrial farms and coal plants across Europe.

ClientEarth lawyer Bellinda Bartolucci said: "Illegal pollution is making people sick, with cancer rates elevated around polluting plants and widespread respiratory issues. MEPs must put people's health first by introducing an effective compensation right - a no-brainer as parties acting unlawfully should pay for the damages caused."



Misinformation has been spread about the consequences for the industry of a comprehensive compensation right. Bartolucci said: "Stronger procedural rules are nothing new and practice has proven that none of them lead to excessive claims. MEPs must not be led by fear - law-abiding businesses have nothing to fear."

EEB Head of Zero Pollution Industry Christian Schaible added: "Citizens will not forgive politicians who vote against their interests."

The compensation right is limited to human health impacts, caused by illegal pollution only." MEPs must vote to preserve the minimum compromise and put people's health first. Read more [HERE](#).

## NATIONAL NEWS

### Statements on removal ordinances in Austria

Our member **ÖKOBÜRO** and **WWF Austria** have achieved a major victory in Austria! After a long-standing effort to challenge executive orders that have previously been exempt from legal action, **the Supreme Administrative Court of Austria granted them access to justice** in cases involving wolves, beavers, otters and grey herons.



This landmark ruling represents a huge win for Austrian NGOs and environmentalists

everywhere, with special credit going to Birgit Schmidhuber, who was on maternity leave while the case

was being fought. The court's ruling is a major step forward in the fight for environmental protection in Austria. Read more [HERE](#).

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### Lawsuits against free speech: what are you afraid of?

The Croatian Government sides with the EU Council's position on SLAPP lawsuits, **weakening regulations that would protect** journalists, activists, academics, artists, and other public figures from abusive legal proceedings.

Our member **Zelena akcija / FoE Croatia** participated in a press conference to highlight that 945 lawsuits are currently active in Croatia, some for as



long as 33 years. **Enes Ćerimagić, Lawyer of FoE Croatia**, spoke about a verdict convicting him and two other colleagues of defamation. **The goal of such lawsuits is to silence activists and others.** Read more [HERE](#).

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### The Taia hydropower plant: the latest ecocide to hit Romania



In recent years, Romania has seen a rise in cases of environmental degradation and disregard for nature protection laws. One high-profile example is the Taia hydropower plant on the Taia river within a protected Natura 2000 site.

Environmentalists have opposed the project since 2008, and in May 2023 they were targeted with a SLAPP lawsuit. Despite its negligible contribution to energy production and potential replacement with photovoltaic installations, the plant was built and operated until 2017 when a court declared its environmental permit and screening decision null and void.



Despite this final ruling, the Hunedoara Environmental Protection Agency re-issued an environmental permit for the project in 2022. In May 2023, the Bucharest Tribunal upheld the case and rejected the promoters' claims. The Taia hydropower plant stands as an example of Romania's regression in environmental protection and disregard for the rule of law. Read more [HERE](#).

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## Adapting to Climate Change in Spain: Legal Solutions for a Brighter Future

On June 28th, IIDMA held the first Spanish national event "Climate Change Adaptation in Spain: Legal Solutions". In a hybrid format, it brought together 61 participants from environmental NGOs, law students, university professors, public administrations, and consultancy firms to discuss the legal response to climate adaptation.



Speakers from IIDMA, the European Commission, and the Spanish Ministry for Ecological Transition presented legal and policy instruments on climate adaptation. Representatives from three Spanish regions and the Major of Valencia then shared actions being implemented at a regional and local level. The event concluded with an interesting debate exploring the

key legal solutions, current progress, and main challenges on climate adaptation in Spain. Learn more [HERE](#).

## BIG LEGAL NEWS

### 2023 Global Climate Litigation Report

Global Climate Litigation Report: 2023 Status Review shows an increase in people turning to the courts to fight the climate crisis. As of December 2022, 2180 climate-related cases were filed in 65 jurisdictions.

**THIS REPORT** provides an overview of the current state of climate litigation and an update on global trends. It further demonstrates the importance of an environmental rule of law in combating climate change, biodiversity loss and pollution. The UNGA resolution recognises the human right to a clean environment and is likely to drive further action on climate change.




**2023 will surely be a busy year for us, and we invite you to join us on our way. Follow our [website](#), [Facebook page](#) and [Twitter account](#) to get the latest updates.**


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